

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

BRADBURY P, BURNS P, EISBART P,  
GIAQUINTA P, HENRY P, REDD P,  
SCHMIDT P, STIER P, TALARICO P,

THE MINUTES OF THE LAST REGULAR October 22, 1985,  
, 19,  
 SPECIAL, 19,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED  
AND PUBLISHED.

October 22, 1985

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, October 25, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of October 22, 1985.

(Bill No. S-85-10-01)  
SPECIAL ORDINANCE NO. S-186-85

AN ORDINANCE approving Civil City Purchase Order #A-38023 with Indiana Turf Equipment, for the Parks and Recreation Department of the City of Fort Wayne, Indiana

(Bill No. S-85-10-02)  
SPECIAL ORDINANCE NO. S-187-85

AN ORDINANCE approving Civil City Purchase Order #A-33984 with Allen County Motors, for the Board of Park Commissioners of the City of Fort Wayne, Indiana

(Bill No. S-85-10-03)  
SPECIAL ORDINANCE NO. S-188-85

AN ORDINANCE approving Civil City Purchase Orders #A-45154, A-45155 and A-45156 with Pioneer Energy Management, Leo Builders and Waynedale Lumber respectively, for the Community Development & Planning Department of the City of Fort Wayne, Indiana

(Bill No. S-85-10-04)  
SPECIAL ORDINANCE NO. S-189-85

AN ORDINANCE approving Civil City Purchase Order #A-35057 with Lee's Equipment Company, for the Parks and Recreation Department of the City of Fort Wayne, Indiana

(Bill No. S-85-10-05)  
SPECIAL ORDINANCE NO. S-190-85

AN ORDINANCE approving Civil City Purchase Order #A-35638 with Frank J. Zamboni & Co., for the Parks and Recreation Department of the City of Fort Wayne, Indiana

(Bill No. R-85-10-07)  
DECLARATORY RESOLUTION NO. R-114-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1



(Bill No. R-85-10-09)  
DECLARATORY RESOLUTION NO. R-115-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-10-10)  
RESOLUTION NO. R-116-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$570,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT POLL PROPERTIES, A GENERAL PARTNERSHIP TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-10-11)  
RESOLUTION NO. R-117-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$3,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT PONTIAC FOUNDRY, INC., TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-10-12)  
RESOLUTION NO. R-118-85

A RESOLUTION authorizing the sale and conveyance of 1.4 acres of real estate owned by the City of Fort Wayne located adjacent to 1702 Winter Street, Fort Wayne, Allen County, Indiana

(Bill No. Z-85-09-15)  
ZONING MAP ORDINANCE NO. Z-12-85

AN ORDINANCE amending property zoned R-3 - Property will become P.O.D.

(Bill No. G-85-06-38)  
(as amended)  
GENERAL ORDINANCE NO. G-24-85

AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Traffic Code"

(Bill No. G-85-09-17)  
GENERAL ORDINANCE NO. G-25-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof

(Bill No. S-85-10-19)  
SPECIAL ORDINANCE NO. S-191-85

AN ORDINANCE approving Contract for Res. #6029-85, Asphalt Resurfacing, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Wayne Asphalt & Construction Co., Inc.

(Bill No. S-85-10-20)  
SPECIAL ORDINANCE NO. S-192-85

AN ORDINANCE approving Contract for Res. #6030-85 - E. Washington Blvd. Turn Lane, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Wayne Asphalt & Construction Co., Inc.

(Bill No. S-85-10-21)  
SPECIAL ORDINANCE NO. S-193-85

AN ORDINANCE approving Contract for Res. #6014-85 - Hoagland/Masterson NSA, Phase IV, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Gaines Construction Co., Inc.

(Bill No. S-85-10-22)  
SPECIAL ORDINANCE NO. S-194-85

AN ORDINANCE approving Contract for Res. #6013-85, Historical Museum Alley & Walkway Entrances, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Gaines Construction, Co., Inc.

(Bill No. S-85-10-23)  
SPECIAL ORDINANCE NO. S-195-85

AN ORDINANCE approving Contract for RES. #5028-85, Oxford NSA, Phase IV, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Hipskind Concrete

(Bill No. S-85-10-24)  
SPECIAL ORDINANCE NO. S-196-85

AN ORDINANCE approving Contract for RES. #400-84, Pontiac Street Radcliffe Drive Sanitary Sewer, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Tomco Construction, Inc.

(Bill No. S-85-10-25)  
SPECIAL ORDINANCE NO. S-197-85

AN ORDINANCE approving Water Contract #85-01 - Corline - Monterey, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Hipskind Concrete Corp.



(Bill No. S-85-10-26)  
SPECIAL ORDINANCE NO. S-198-85

AN ORDINANCE approving City Utilities Purchase Order #A-41652, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Underground Pipe for the Water Maintenance and Service Department

(Bill No. S-85-10-27)  
SPECIAL ORDINANCE NO. S-199-85

AN ORDINANCE approving City Utilities Purchase Order #A-41651, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Central Foundry of Indiana for the Water Maintenance and Service Department

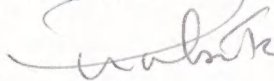
(Bill No. S-85-10-28)  
SPECIAL ORDINANCE NO. S-200-85

AN ORDINANCE approving City Utilities Purchase Order #A-41647, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Tomco Equipment Company for the Three Rivers Filtration Plant

(Bill No. R-85-10-50)  
RESOLUTION NO. R-119-85

A RESOLUTION DECLARING OCTOBER 22ND THE OFFICIAL BIRTHDAY OF THE CITY OF FORT WAYNE

Respectfully yours,



Win Moses, Jr.  
Mayor



# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

1 November 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. G-85-10-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
1st day of November 1985.

Melvin O. Smith  
Secretary



**FACT SHEET**

G-85-10-14

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

N/A

**Reason for Project**

Amendment would allow for an additional use in B-2-D District.

**Discussion (Including relationship to other Council actions)**October 21, 1985 - Public Hearing

Plan Commission staff stated that this provision was for the added use of an Automobile Showroom, excluding repair, paint or body work, and storage or display of vehicles outside of the building.

The discussion centered around the already existing showrooms located in Glenbrook and Southtown Mall and the fact that the ordinance was limiting the number of cars to 10, which would make these showrooms non-conforming. It was suggested that the staff consider making a maximum sq. footage stipulation part of the amendment instead of limiting the number of cars.

There was no one present who wished to speak in favor of or in opposition to the proposed amendment.

October 28, 1985 - Business Meeting

Following discussion the ordinance was amendment to eliminate the number of cars allowed in the showrooms and changed

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**City Plan Commission  
City Department

Other

**Opponents****Groups or Individuals**

Basis of Opposition

**Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass



**DETAILS**

to allow showrooms up to a maximum of 48,000 sq. ft. devoted to such use.

Motion was made and carried to recommend a DO PASS on the amended ordinance.

Of the 8 members present 7 voted in favor of the DO PASS recommendation and one did not vote.

**POLICY/PROGRAM IMPACT**

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date September 1985

Projected Completion or Occupancy

Date November 4, 1985

Fact Sheet Prepared by  
Patricia Biancaniello

Date November 1985

Reviewed by

Date

*Greg Becton*  
Reference or Case Number

11/4/85



BILL NO. G-85-10-14 (AS AMENDED)

GENERAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE amending Chapter 33 of the  
Municipal Code of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
OF FORT WAYNE, INDIANA:

SECTION 1. Delete Section 33-14 (f) (3) e. ii.  
and replace with the following:

(ii) Permitted uses include all B2C uses and  
additionally bowling alleys, arcades, and Automobile  
Showrooms, to a total of 48,000 sq. ft. devoted to this use  
per Shopping Center, except that no repair, paint or body  
work shall be conducted in connection with such showroom  
and that there shall be no storage or display of vehicles  
outside of the building.

SECTION 2. That this ordinance shall be in full  
force and effect from and after passage and approval by  
the Mayor.

\_\_\_\_\_  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
BRUCE O. BOXBERGER, CITY ATTORNEY



TEXT AMENDMENT TO B-2-D ZONING DISTRICT

10 October 1985

Amend Section 33-14. F. e. (ii) as stated below in legislative form:

(ii) Permitted uses include all B-2-C uses and additionally bowling alley, arcades, and Automobile Showrooms for no more than ten (10) vehicles, except that no repair, paint or body work shall be conducted in connection with such showroom and that there shall be no storage or display of vehicles outside of the building.

PROPOSAL: The intent of this amendment is to allow an automobile showroom in a regional shopping center, and to place limitation upon that use, preventing repair, body or paint work, outside storage or display, and limiting the number of vehicles to ten (10) or less.

Ordinance: The existing ordinance places an automobile showroom in a B-3 District. That district allows repair including body work. The regional shopping center permits a number of specific uses including department stores and car washes.

PLANNING STAFF DISCUSSION:

The argument being made is that there is little or no difference in the display of merchandise, regardless of the nature of that merchandise. Regional Shopping Centers already have permitted uses that address the automotive public trade. Existing department stores have accessory uses that include some auto repair. A showroom concept is in keeping with the general display of merchandise that is common to retail sales, and the associated limitations would hopefully prevent abuse of the planned center concept.

RECOMMENDATION:

Approval





**The City of Fort Wayne**  
LAND USE MANAGEMENT  
Division of Community Development & Planning

1 November 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one  
(1) ordinance concerning the vacation of a portion of public street.

The proposed ordinance is designated as:

BILL NO. G-85-10-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
1st day of November 1985.

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Melvin O. Smith  
Secretary

# FACT SHEET

G-85-10-18

BILL NUMBER

## Division of Community Development & Planning

**BRIEF TITLE**

Street Vacation Ordinance

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

Portion of Yale Drive between Stanford Drive & North Highlands Blvd.

**Reason for Project**

This portion of Yale is undeveloped as a street and it would also allow a property owner adjacent to street to develop his lot.

**Discussion (Including relationship to other Council actions)**

October 21, 1985 - Public Hearing

James Christie, petitioner, stated that he has owned a lot on Stanford Drive for approximately 5 years and has been unable to construct a home because of the current city code. This property has sits on the corner of Yale & Stanford and causes a setback problem when it comes to new construction. He stated by vacating this portion of Yale Drive it would allow him to construct a home without the setback interfering. He stated that this portion of Yale is undeveloped and people have on occasion used it for dumping. He stated that of the three other adjacent property owners two have signed the petition in agreement and the other was unable to be reached. He stated however that when he had spoken with that property owner at an earlier time they were undecided about the vacation, not wanting anymore property to have to maintain.

Ben Eisbart pointed out that the property owner in question had been notified of the proposed vacation and the public hearing and had not appeared in opposition.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

Applicant(s)  
James Christie  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation**

By

☒ For☐ Against☐ No Action Taken

☐ For with revisions to condition  
(See Details column for condition)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass



**DETAILS**

October 28, 1985 - Business Meeting

Of the eight member present 7 voted in favor  
of a DO PASS recommendation 1 did not vote.

**POLICY/PROGRAM IMPACT**

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

**Project Start**

**Date** August 16, 1985

**Projected Completion or Occupancy**

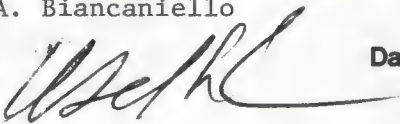
**Date** November 4, 1985

**Fact Sheet Prepared by**

Patricia A. Biancaniello

**Date** November 1985

**Reviewed by**



**Date**

**Reference or Case Number**

# VACATION PETITION

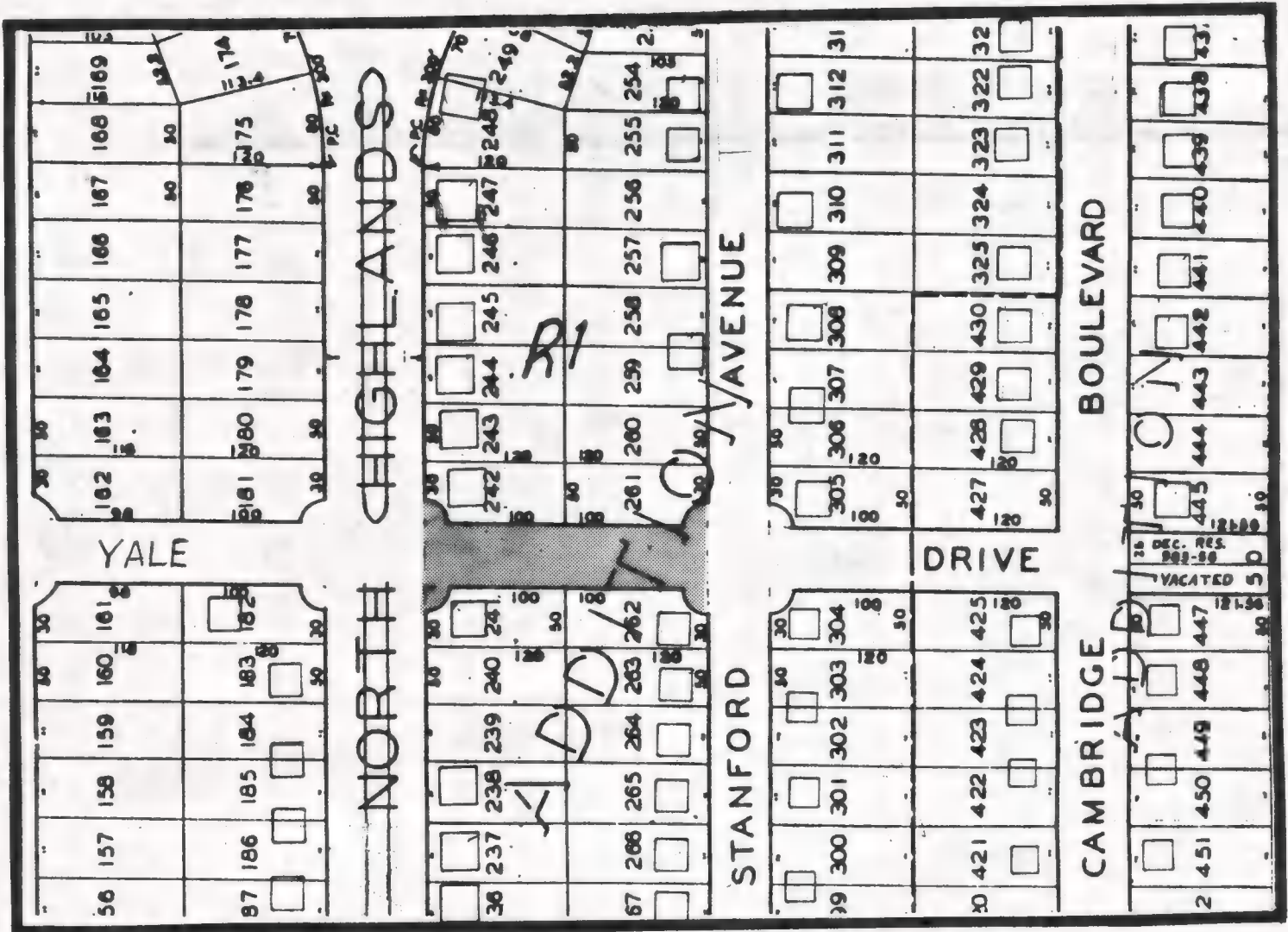
#154

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC STREET.

MAP NO. J-18

BILL NO. G-85-10-18

COUNCILMANIC DISTRICT NO. 3



Zoning:

Land Use:

R1 RESIDENTIAL DISTRICT

☐ SINGLE FAMILY

Scale: 1" = 165'

19

Date: 8-27-85

NORTH



L.W.



VACATION PETITION #154

10 October 1985

**PROPOSAL:** Petitioners request the vacation of a portion of Yale Street.

**GENERAL INFORMATION:**

**Location:**

Yale Street, between Stanford & North Highlands Blvd.

**Legal Description:**

1/4 Sec.

**Size of Property:**

10,000 sq. ft.

**Surrounding Land Use  
& Zoning:**

The immediate area is zoned R-1.

**Reason For Request:**

Unknown

**Applicable Regulations:**

Vacation petitions must be approved by the City Planning Commission, Board of Public Works and City Council.

**SPECIAL INFORMATION:**

**Public Utilities:**

Available

**Physical Characteristics:**

This portion of Yale Drive is basically unimproved, except for stubs at North Highlands and Stanford Avenue.

**Comprehensive Plan:**

No Comment

**PLANNING STAFF DISCUSSION:**

The continuation of Yale Drive in the petitioned area does not appear to be necessary or advantageous to the City. While vacation does present some concern regarding routes for emergency services, the same actual conditions exist today. The City would probably better benefit from vacation of this portion of Yale Drive.

**RECOMMENDATION:**

Approved

Subject to creation of utility easements as needed.

RESOLUTION 75-121-6

WHEREAS, JAMES CHRISTIE and CATHERINE L. BARVA have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Yale Drive lying west of the west right-of-way line of Stanford Avenue and between Lots #261 and #262 in Cambridge Hills Addition as recorded in Plat Book 13, page 61 in the Office of the Recorder of Allen County, Indiana,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, David J. Kriester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held October 31, 1985 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 31<sup>st</sup> DAY OF October 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kriester  
David J. Kriester  
Director of Public Works

Colette R. Simon  
Colette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Director of Public Safety



## RESOLUTION

WHEREAS, JAMES CHRISTIE AND CATHERINE L. BARVA have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street in Fort Wayne, Allen County, to-wit:

Yale Drive lying west of the west right-of-way line of Stanford Avenue between Lots #261 and #262 in Cambridge Hills Addition as recorded in Plat Book 13, page 61 in the Office of the Recorder of Allen County, Indiana,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 21, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public street in Allen County, Indiana.

STATE OF INDIANA) )  
COUNTY OF ALLEN ) SS:

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 28, 1985 and as the same appears of record in the official records of said Plan Commission.

DATED THIS / DAY OF November 1985

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Secretary



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

28 October 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a public street.

The proposed ordinance is designated as:

BILL NO. G-85-07-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October 1985.

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Melvin O. Smith  
Secretary



**FACT SHEET**

G-85-07-22

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Street Vacation Ordinance

**DETAILS****Specific Location and/or Address**

Portion of Warren Street

**Reason for Project**

Adjacent property owner wishes to fence off area to be vacated for security purposes.

**Discussion (Including relationship to other Council actions)**July 15, 1985 - Public Hearing

Wayne Witmer, attorney appeared for the petitioner Mr. Tom McBride owner of K&G Manufacturing. Mr. Witmer stated that K&G manufacturing occupies the east side of Warren Street. He stated that Mr. McBride has acquired all of the land on the west side of Warren Street and wishes to expand his business. He stated that Mr. McBride has no intention of building over the portion of Warren they are asking vacated but wishes to fence off the entire area for security. He stated that they are willing to give utilities complete access to the area at any time for maintenance purposes. He stated they are aware that there is a 54 inch combination sewer in this portion of Warren.

Duane Embury stated that in this type of situation the WPCE department normally has dual locks. He stated in that way the would not need a key from Mr. McBride for access. He stated that WPCE has no objection to this type of lock.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**Tom McBride - K&G Manufacturing  
City Department

Other

**Opponents****Groups or Individuals**

Basis of Opposition

**Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass

# DETAILS

Mr. McBride stated he had no objection to a dual lock system.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

July 22, 1985 - Business Meeting

Of the nine members present 8 voted in favor of a DO PASS recommendation for the requested vacation, one did not vote.

A Grant of Easement was required submitted and approved by the Plan Commission attorney and then recorded for the 54 inch sewer line in this portion of Warren Street. A copy of that recorded easement is attached to the original ordinance and on file in the Plan Commission Office.

## POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date May 10, 1985

Projected Completion or Occupancy

Date October 28, 1985

Fact Sheet Prepared by

Date October 28, 1985

Patricia A. Biancaniello

Reviewed by

Date

*Harry Baxton*  
Reference or Case Number

*11/7/85*

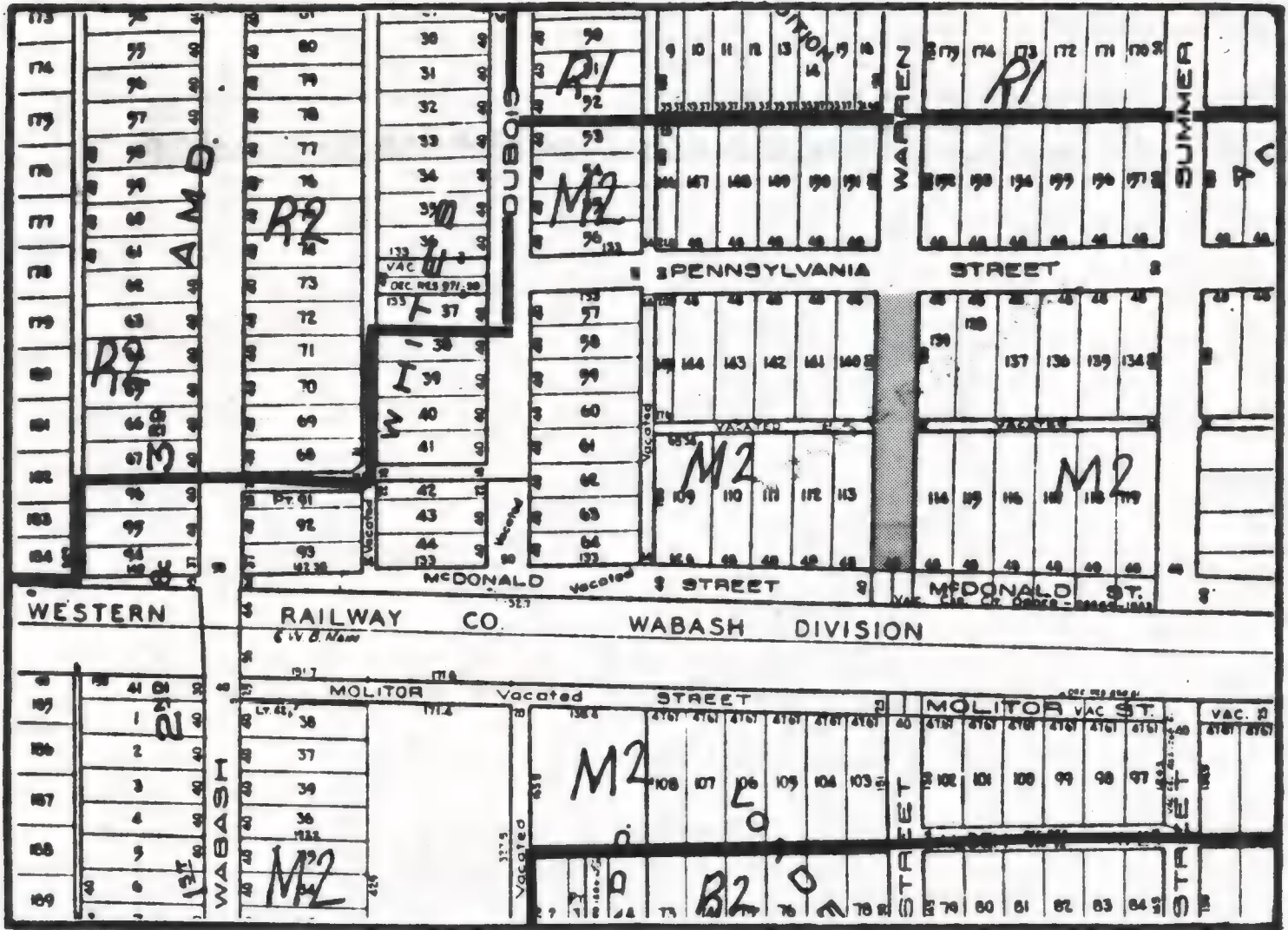


# VACATION PETITION - #131

A PETITION TO VACATE THE DESCRIBED PORTION OF CITY STREET.

MAP NO. P-2

COLINGMANIC DISTRICT NO. 1



Zoning:

Land Use:

M2 GENERAL INDUSTRY  
R1 RESIDENTIAL DISTRICT  
R2 RESIDENTIAL DISTRICT

Scale: 1" = 200'

18

Date: 5-21-85



8 July 1985

PROPOSAL:

Tom McBride petitions for the vacation of a portion of a street.

GENERAL INFORMATION:

Location:	Warren Street, from Pennsylvania Street south to its terminus.
Legal Description:	As described above.
Existing Zoning:	Not applicable.
Size of Property:	.35 acres $\pm$
Surrounding Land Use & Zoning:	This area is zoned M-2 immediately abutting the petitioned vacation area.
Reason For Request:	To secure petitioners place of business.

SPECIAL INFORMATION:

Public Utilites:	Available
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PLANNING STAFF DISCUSSION:

There is a 54 inch combination sewer in and along Warren Street that serves approximately 240 urban area acres with sanitary and storm sewers. Additional easements would be required by other utilities. If the street were to be vacated, and petitioner fences off the area, utility access for maintenance and/or emergency repairs would be very difficult.

We would suggest that vacation not be granted until such time as the petitioner can make adequate arrangement for easements and immediate access for the requiring utilities.

RECOMMENDATION:

Conditional Approval

Contingent upon petitioner creating new easements and methods of access where required.



WHEREAS, TOM MCBRIDE has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

That portion of Warren Street running south from Pennsylvania Street to the south line of vacated McDonald Street, also being the North line of the Wabash Railroad right-of-way,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)  
COUNTY OF ALLEN ) SS:

I, David J. Klester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held October 31, 1985 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 31<sup>st</sup> DAY OF October 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Klester  
David J. Klester  
Director of Public Works

Cosette R. Simon  
Cosette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Director of Public Safety

## RESOLUTION

WHEREAS, Tom McBride, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street in Fort Wayne, Allen County, to-wit:

That portion of Warren Street running South from Pennsylvania Street to the South line of vacated McDonald Street, also being the North line of the Wabash Railroad right-of-way,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 15, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public street in Allen County, Indiana.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 22, 1965, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28 DAY OF October 1985

**FORT WAYNE CITY PLAN COMMISSION**

Melvin O. Smith  
Secretary





# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

28 October 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-06-37

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October 1985.

Melvin O. Smith  
Secretary

# FACT SHEET

Z-85-06-37

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

### DETAILS

Specific Location and/or Address

5611 & 5701 Illinois Road

Reason for Project

Establish a new car dealership.

Discussion (Including relationship to other Council actions)  
Public Hearing - June 17, 1985

Wayne Witmer, attorney representing the petitioners. Mr. Witmer stated that he is representing not the owners but the prospective owners, Mr. & Mrs. Maury O'Daniel. He stated that Mr. O'Daniel operates O'Daniel Oldsmobile on Bluffton Road. He stated Mr. O'Daniel has a purchase agreement with the owners contingent upon zoning to purchase the property for the relocation of the dealership to this Illinois Road property. He stated that presently the County has jurisdiction on the North side of Illinois Road and the City on the South side. He stated that the staff report points out they are aware that a number of uses are allowed in a B-3-B zoning which are not desirable on this location. He stated that they are willing to incorporate restrictive covenants on the property. He stated even though not all of this is business he felt that the area is changing and taking a trend toward businesses along this corridor. He stated that new development in this area is largely commercial. He stated further that Illinois Road is a 4-lane highway with a 45 mph speed limit, something that is not conducive to residential development. Mr. Witmer stated that there is a problem with the legal description and the property shown is more than they intend to purchase. He stated that they are working on a new survey for the property.

Mrs. Kenna stated that she had difficulty with the access to the properties on Illinois Road. She questioned if the City/County has any future plans to develop this property with limited access.

Jack Powell, staff member of the County Plan Commission. Mr. Powell stated that approximately 5 years ago County Plan adopted a policy relative to Illinois Road, wherein - whenever there was a commercial request before the County Plan Commission they sought a restrictive covenant from the petitioner agreeing to limit access to Illinois Road and they had adopted an overall policy that they had worked out with the City Traffic Engineering Department, which pinpoints suggested access points. He stated that the goal is to limit the number of curb cuts on Illinois Road, he stated maybe every 6 or 7 hundred feet there would be a major cross over and all other parcels would funnel to that point. He stated they would funnel to that point via a frontage road, a 40 to 50 foot wide easement that would stretch along the entire length of Illinois Road, or nearly. He stated that every rezoning that has appeared before the County Plan Commission, that does not have frontage on one of the public r/w that goes off of Illinois Road, such as Getz Road, they have a restrictive covenant where the property owner agrees that when the property next to him, or the properties between him and the approved access point onto Illinois Road is rezoned and developed he will close his access onto Illinois Road and funnel all of his traffic down to the property next door. He stated that the frontage road will be constructed by the property owners and it will not be a taxpayer expense. He stated that as a result of that they have approved a number of rezonings on Illinois Road.

### POSITIONS

### RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/  
Proponents

Applicant(s)  
Anna M. Brough  
C. Gay Psehes  
City Department

Other

Opponents

Groups or Individuals

Basic of Opposition

Staff  
Recommendation

☐ For ☒ Against

Reason Against

- 1) adverse impact on area
- 2) not in keeping with comprehensive plan

Board or  
Commission  
Recommendation

By

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

CITY COUNCIL  
ACTIONS  
(For Council  
use only)

☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



## DETAILS

Ben Eisbart questioned if the one of the basis for County approval of commercial rezonings is the agreement with the property owners that a service road would be constructed with the property owners paying for the cost of the road.

Mr. Powell stated, yes. But stated that since contract zoning is not legal in Indiana they cannot require it. He stated that it is clear that the County Plan Commission will look with more favor on a rezoning if the petitioner offers this to the Plan Commission.

Duane Embury questioned Mr. Powell what the County Plan Commission's position on rezoning on Illinois Road is.

Mr. Powell stated that the County Plan Commission feels that with the traffic volumes on the road and that there are two nodes of major activity; one at the interchange of I-69 and the other is the Apple Glen project and the commercialism along there. He stated that ■■■ a result of this commercial use the maintenance of residential land uses along Illinois Road are becoming extremely difficult and maybe less than desirable.

Steve Smith asked Wayne Witmer to have for the Commission before its business meeting on Monday a corrected legal description which accurately depicts what they want to rezone.

Mr. Witmer stated they were working on it.

Edith Kenna stated that when the decide where the boundary is between Breconshire and the requested rezoning will the petitioner agree to landscape along that boundary in accordance to what is necessary or in accordance to what CD&P would suggest.

Mr. Witmer stated that the property is approximately 20 acres - and they will not be using all of it. He stated that to the east presently there is a heavy tree line and brush line and it is more of a buffer than ■ mound of earth, but stated that they would be happy to consider whatever CD&P would feel is necessary.

Mrs. Kenna stated that Mr. Witmer had said that the petitioner would be willing to covenant the use of the land and restrict it to ■ car dealership. She questioned if the petitioner would also be willing to an agreement regarding an access road such as the County obtains.

Mr. O'Daniel stated he did not know where ■ service road would go, but they would be open to any suggestions or requests that the Commission would have. He stated he would be more than happy to cooperate.

Jack Powell, stated he was now speaking as an individual and not ■ ■ member of the Allen County Plan Commission staff. He stated he did not wish to speak in opposition to the rezoning but stated he represented property owners to the south. He stated the property was included in this petition, and it was without their knowledge and they do not wish to have their property rezoned.

George Martin requested that Mr. Witmer get him a copy of the survey.

Mr. Witmer stated he would have it as soon as they can get a new survey completed.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

## POLICY/PROGRAM IMPACT

Policy or  
Program  
Change

☐ No

☐ Yes

Operational  
Impact  
Assessment

(This space for further discussion)

July 22, 1985 - Business Meeting

Of the nine members present 7 voted in favor of approval, one abstained and one did not vote.

NOTE: The Commission placed a condition on the rezoning requiring the petitioner to dedicate a frontage road and agree to participate in the cost of installation of such road. The Commission also required the petitioners to reserve a 30 foot perimeter buffer zone for landscaping. It was also stated that the frontage road would be constructed when requested by Traffic Engineering.

The petitioners have submitted a restrictive covenant agreeing to said conditions. A copy of the signed covenant is attached to the original ordinance and a copy is on file in the Plan Commission office. The Covenant will be recorded when/if the rezoning is approved.

Project Start

Date May 16, 1985

Projected Completion or Occupancy

Date October 28, 1985

Fact Sheet Prepared by

Date October 28, 1985

Patricia Biancaniello

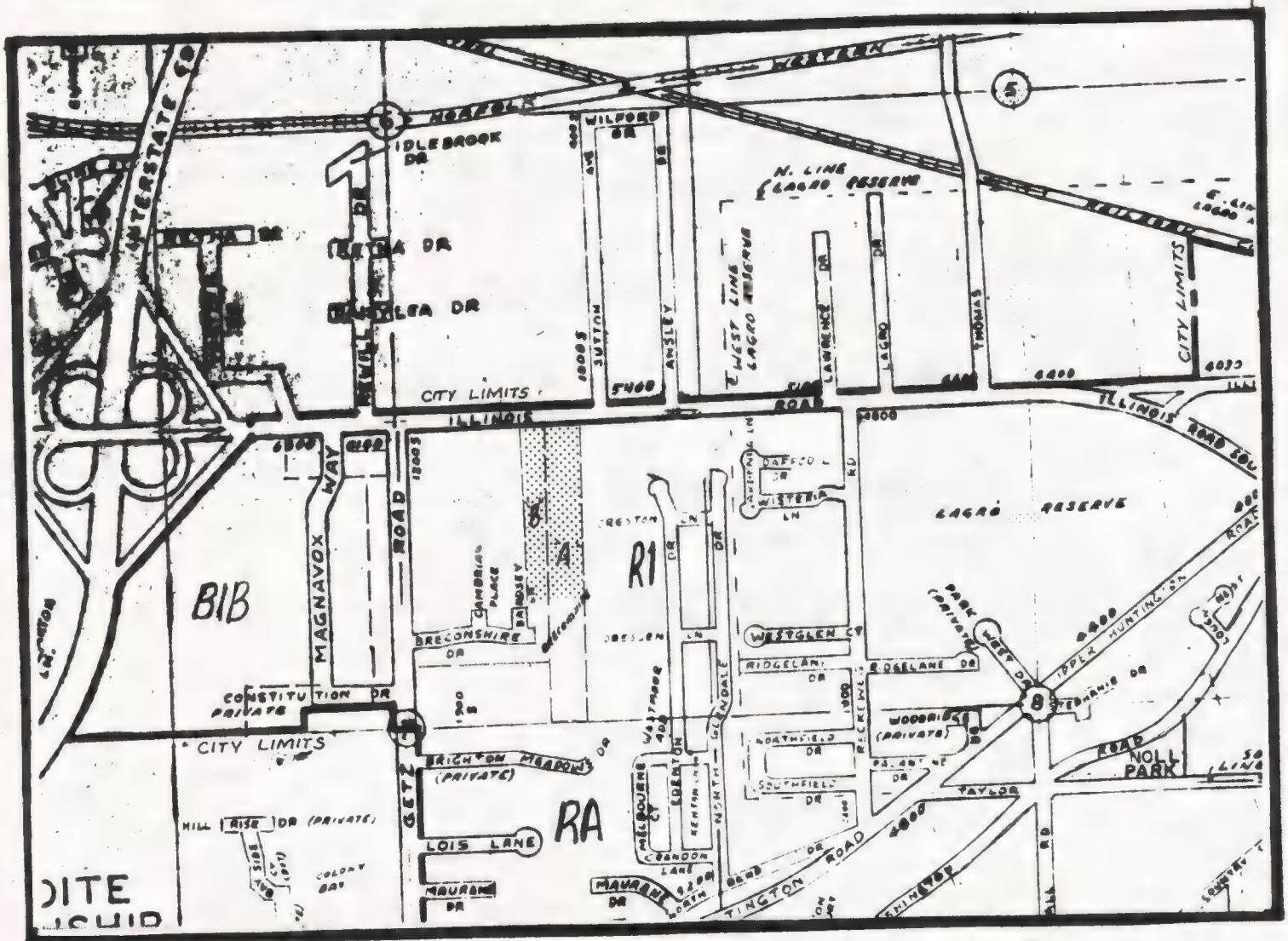
Reviewed by

Date

Reference or Case Number

11/4/85

# GENERAL LOCATION MAP FOR 5611 & 5701 ILLINOIS RD.



## Zoning:

BIB LIMITED BUSINESS "B"  
 RI RESIDENTIAL DISTRICT  
 RA RESIDENCE "A"

## Land Use:

BILL NO. Z-85-06-37

Scale: 1" = 1430'

Date: 5-29-85

NORTH





RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 25, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-06-37; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 17, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 22, 1985.

Certified and signed this  
28th day of October 1985.

Melvin O. Smith  
Secretary

Change of Zone - #134

6 June 1985

PROPOSAL:

Anna M. Brough and C. Fay Psehes petition for a rezoning from R-1 to B-3-B.

GENERAL INFORMATION:

Location:

5611 & 5701 Illinois Road

Legal Description:

Metes & Bounds In File

Existing Zoning:

R-1

Size of Property:

32.9 Acres  $\pm$

Surrounding Land Use & Zoning:

North - County  
South - RA - Multi-Family  
East - B-1-B & R-1 - Residential  
West - R-1 - Residential & Vacant Land

Applicable Regulations:

R-1 is primarily a single family residential designation.

Comprehensive Plan:

The general land use policies state that rezoning and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area. The overall goal in the Outer Ring, where this request is located is to encourage growth in a balanced manner that is within or adjacent to existing development. The specific goal for the West Sector of the Outer Ring is to contain urban growth within the urban service line. This existing zoning is consistent with the projected land uses of the Comprehensive Plan for the area.

Neighborhood Planning:

No Comment

Urban Design:

No Comment

HANDS:

No Comment

Housing Authority:

No Comment

PLANNING STAFF DISCUSSION:

The Comprehensive Plan indicates that this area should be developed as medium density residential. The existing development in this area is primarily residential, even though some commercial development at the intersection does exist. The B3B designation is for general business, and includes uses ranging from automobile body shops to night clubs. These permitted uses would adversely impact the residential quality of the existing developments, and the proposed future development of the surrounding area. Approval of this petition would also encourage the creation of a commercial strip along Illinois Road.

RECOMMENDATION:

Denial

- 1) Approval would adversely impact the area.
- 2) Approval would make it difficult to deny similar petitions.
- 3) Approval is not in keeping with the comprehensive plan for this are.
- 4) Its approval would constitute a spot zone.



MEMORANDUM

To: City Plan Commission

Date: July 17, 1985

From: V.C. Seth, Director of Planning *V.C.*

Subject: Change of Zone 134 and 136, south side of Illinois Road

As you will recall, the Commission asked the planning staff to look at this general area and provide alternative solutions to land use.

Currently, there are two (2) small parcels zoned B-1 on the south side of Illinois Road between the future Apple Glen site and Getz Road. The remaining land is all zoned residential, with medium to large lots ranging from 1 acre to about 18 acres in size. There is also a considerable number of single family subdivisions that have occurred and a preliminary plat for another single family development has recently been approved (an extension of Breconshire Drive).

There is a small multiple family development at the southwest intersection of Wisteria and Reckeweg, and a proposal for a change of zone to RA for another multiple family development on a parcel approximately 8 acres in size immediately north of the Breconshire subdivision.

The change of zone proposal to B-3-B by O'Daniel Oldsmobile is approximately 1500 feet deep, with 600 feet fronting on Illinois Road. The change of zone proposal to P.O.D. by Austin Hanover is approximately 450 feet deep, is "L" shaped, and has a frontage of approximately 140 feet on Illinois Road. These two changes of zone are about 1500 feet apart.

We have enclosed three generalized maps of this area with this report.

- Map 1: Shows existing zoning and existing and proposed land uses.
- Map 2: Shows land use alternate 1. Under this alternate, some 100 acres of land would be zoned high density residential.
- Map 3: Shows land use alternate 2. Under this alternate, about 50 acres, would be zoned commercial and another 50 acres could be zoned high density residential.

If the Plan Commission and City Council choose to approve both changes of zone 134 and 136, Planning staff would recommend that commercial and business zoning depth not exceed 525 feet from the centerline of Illinois Road. If the Commission and Council wish

to make an exception to O'Daniels change of zone to B-3-B, its depth should not be greater than approximately 1100 feet.

We have discussed this with the City Traffic and Transportation Department and it is their opinion that if a policy position is taken to approve a commercial strip along the south side of Illinois Road, it would be desirable to provide a 40 foot wide strip on the private property to construct a frontage road. We would suggest that this could be accomplished in the following manner:

1. Applicants for a change of zone along Illinois Road be required to dedicate a 40 foot wide piece of property along Illinois Road for the purpose of constructing a frontage road.
2. Applicants sign an agreement to contribute towards the cost of the construction of a frontage road at the time City considers it appropriate to construct one.

We would also suggest that a 30 foot wide perimeter yard be required wherever the commercial strip abuts residential districts, and that this yard be landscaped to provide appropriate screen and buffer to protect existing and future residential area to the south.

VCS/sjh

Map 1.: EXISTING ZONING AND EXISTING & PROPOSED LAND USE:

Zoning

R-1

Existing Zoning

B-1

B-2

R-A

POD

B-3

Proposed Zoning

Land Use



Existing Single Family



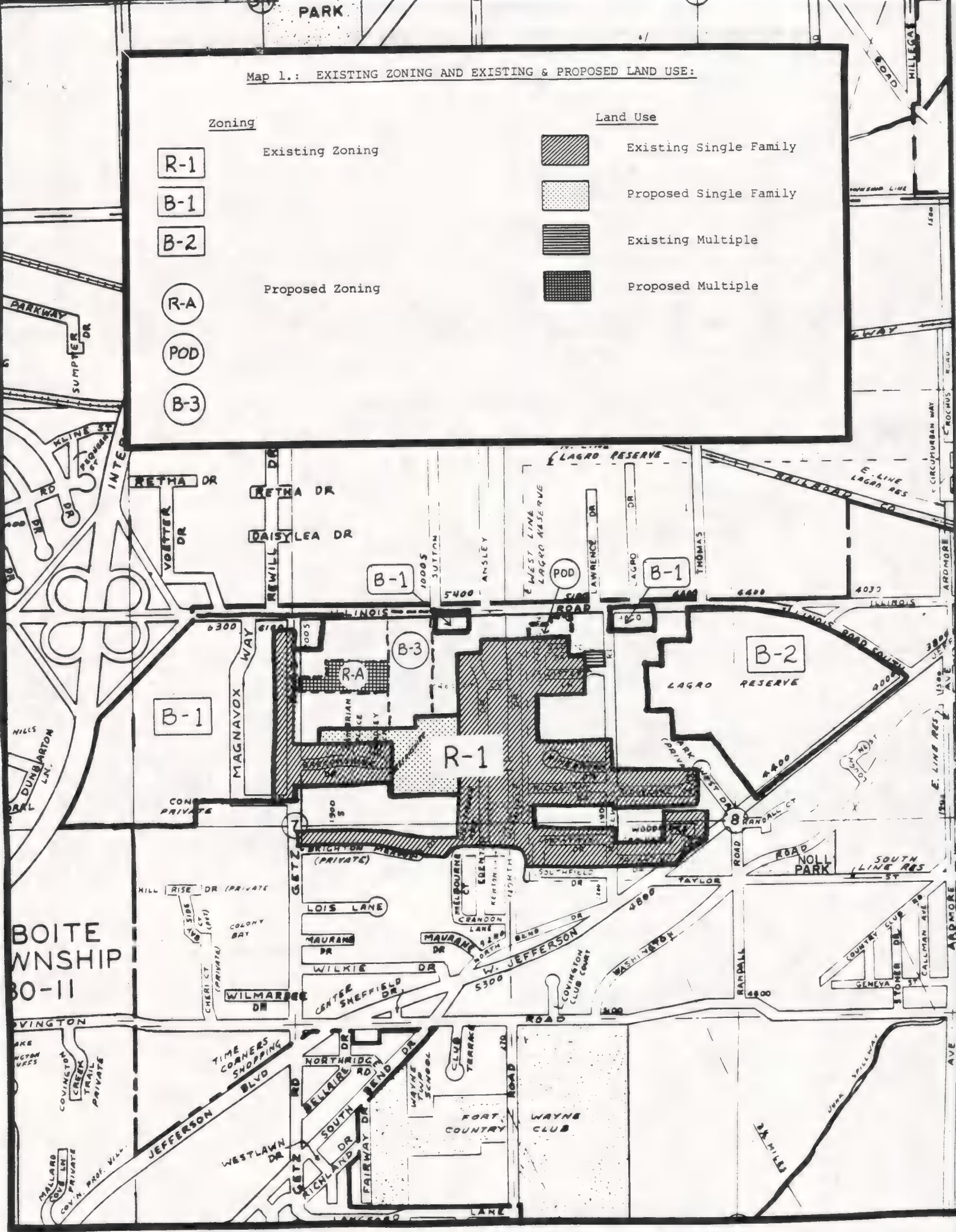
Proposed Single Family



Existing Multiple



Proposed Multiple





Zoning

R-1

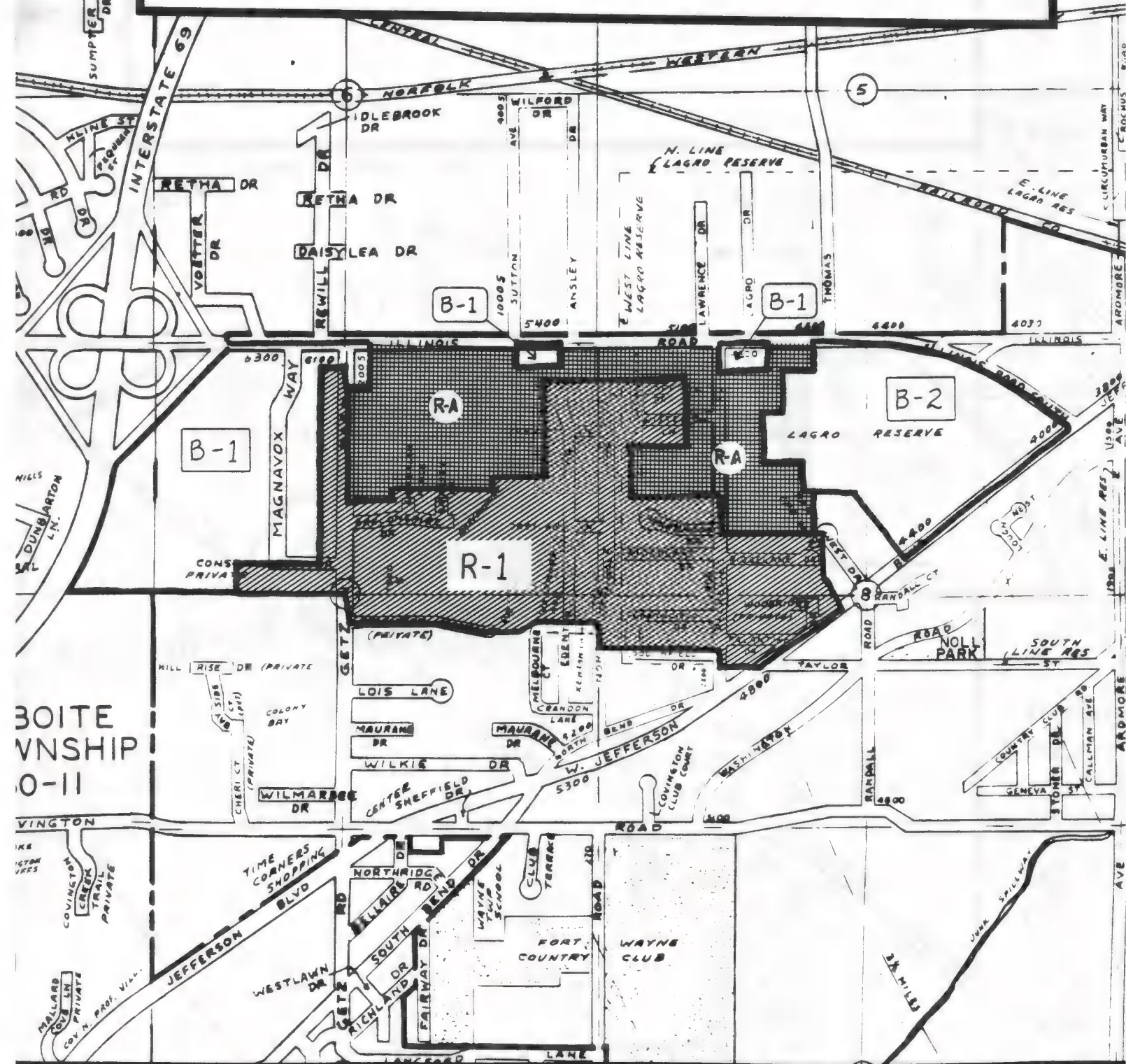
Existing Zoning

B-1

B-2

### Proposed Zoning

(R-A



Zoning

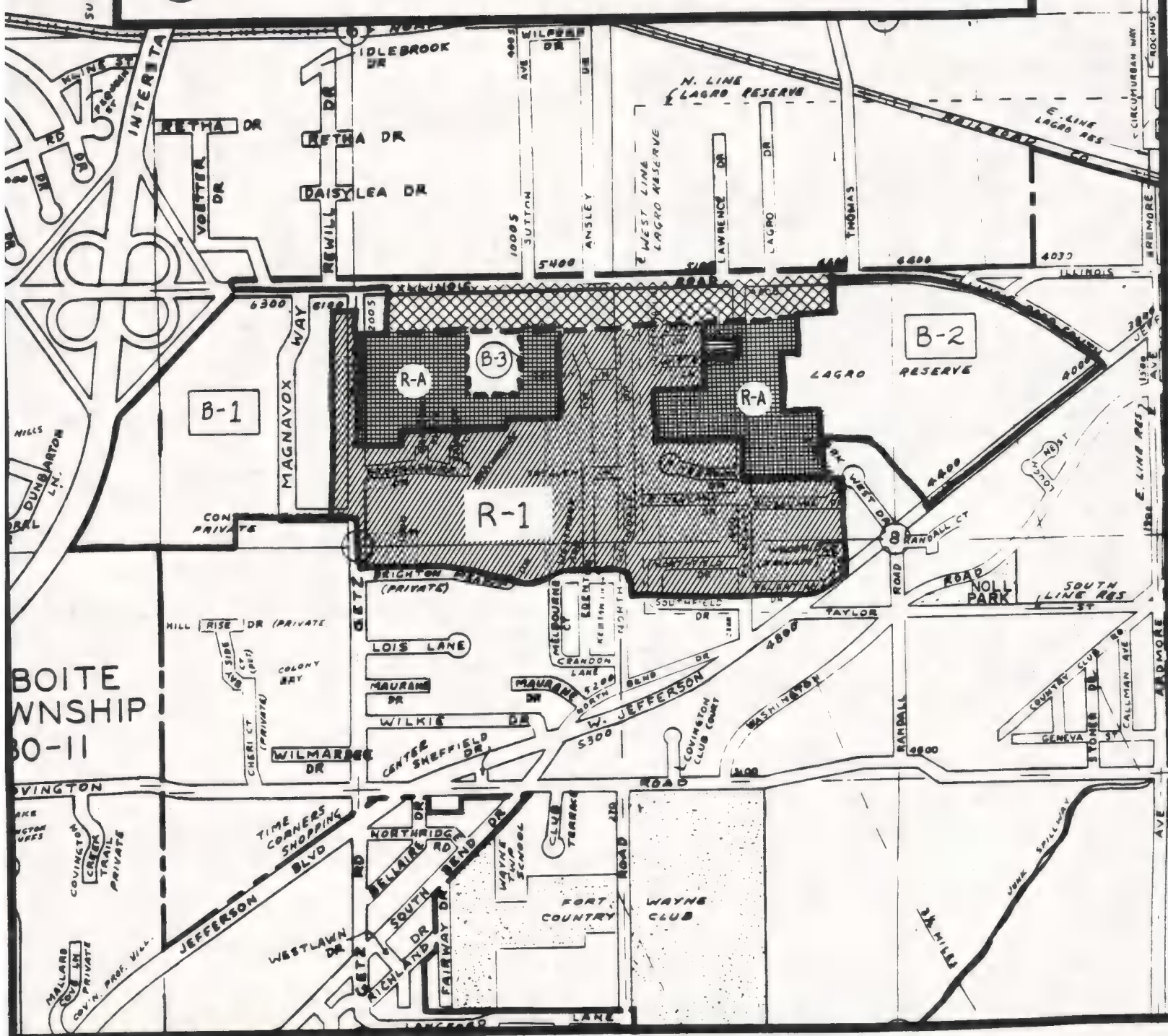
### Existing Zoning

Require: 1. 75' R.O.W. south from  
centerline of Illinois Rd.

2. 40' Frontage road along Illinois Rd.

### Proposed Zoning

POD







# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

1 November 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-07-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
1st day of November 1985.

Melvin O. Smith  
Secretary



# FACT SHEET

Z-85-07-21

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Map Ordinance

### DETAILS

#### Specific Location and/or Address

4106 West Jefferson

#### Reason for Project

To establish professional offices at this location.

#### Discussion (Including relationship to other Council actions)

July 15, 1985 - Public Hearing

Carlene Samczyk, 6418 West Hamilton Road, the owner of Century 21 Aboite Realtors located at 2827 Getz Road. Ms. Samczyk stated she is requesting the rezoning to establish an office park. She stated that it was inconceivable to her that this land could be considered for residential use at this time.

She stated that many of the properties which front on West Jefferson along this area are being used for commercial or office use. She stated that there are several businesses which start at Ardmore Avenue and come up to this property. She stated that within a few blocks of this property there are also numerous office buildings and across the street is a commercially zoned site.

Ms. Samczyk presented the Commission with drawings of the proposed buildings. She stated that there would be two such buildings on the property if it were rezoned. She stated that she felt the office complex that she was proposing would be architecturally more harmonious with the residential structures behind it than any multi-family apartment buildings or commercial use which would be the only other realistic use for this land. She stated that she has spoken with many of the neighbors as possible in the area. She stated that she has spoken with almost everyone on Lough Nest which is a cul-de-sac directly behind the property. She stated she has also tried to meet with the Wildwood Park Association and has in fact requested a meeting with them, but they were unable to set up a meeting. She stated that she would try to meet with them before the meeting on Monday night.

Ms. Samczyk stated that even though the staff pointed out that there were other locations for offices already suitably zoned, her business is Century 21 "Aboite" Realtors and it is necessary for her to be located in the southwest section of the city and along U.S. 24.

David Kiester stated that he would like more complete comments from Traffic and Street Engineering than was given on the development plan report. He requested this information by the Monday night business meeting.

### POSITIONS

### RECOMMENDATIONS

#### Sponsor

City Plan Commission

#### Area Affected

City Wide

Other Areas

#### Applicants/ Proponents

#### Applicant(s)

Carlene Samczyk  
Richard & Adam LaMar  
City Department

Other

#### Opponents

#### Groups or Individuals

Wildwood Park Neighborhood Assn.

#### Basis of Opposition

- commercial would have adverse impact
- would increase traffic

#### Staff Recommendation

☐ For ☒ Against

#### Reason Against

- adverse impact in area
- more suitable locations than here for offices

#### Board or Commission Recommendation

By

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

#### CITY COUNCIL ACTIONS (For Council use only)

- ☐ Pass ☐ Other
- ☐ Pass (as amended) ☐ Hold
- ☐ Council Sub. ☐ Do not pass

## DETAILS

Grant Shipley, 3322 North Washington Road, President of the Wildwood Park Association stated that he has been unable to meet with the petitioners because it is difficult to obtain a quorum of members in the summer. He stated that he has spoken with members of the board and they are trying to keep the south side of West Jefferson non-commercial. He stated they are opposed to the rezoning of the property for a commercial use. He stated that it is zoned all RA on the south side. He stated it may well be zoned for commercial on the North side but to date no commercial has been built. He stated that the nearest commercial development is Park West Shopping Center which is a neighborhood shopping center. He stated that even though there are offices along a portion of West Jefferson on the south side these have been put in by variance and with restrictive covenants which are controlled by the Wildwood Park Association.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

### August 26, 1985 - Business Meeting

Of the nine members present 8 voted in favor of a Do PASS recommendation with the following conditions:

- 1) Provide a 40-foot easement for a frontage road and a 15-foot setback from the frontage road for buildings and parking lots;
- 2) Provide an agreement to construct the frontage road at such time when the City determines it is required, and to remove any and all obstructions;
- 3) There should be no more than one (1) identification sign designating the office park. This sign should not be located in the required front yard. Size of sign not to exceed 32 square feet and height not to exceed 6 feet;
- 4) Provide a revised landscape and screening plan for review and approval of C.D. & P. staff;
- 5) Provide a revised design and layout of parking lots and incorporate curbed planting islands between parking areas and the driveway;
- 6) Attempt should be made to retain as many trees as possible;
- 7) Landscape screen be provided for the parking lots fronting upon the north property line;
- 8) The floor area not exceed 18,000 square feet

These conditions have been agreed to by the petitioners and a recorded restrictive covenant

## POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

to that effect has been submitted to the Plan Commission a copy of which is attached to the original ordinance and is on file in the Plan Commission Office.

Project Start

Date July 14, 1985

Projected Completion or Occupancy

Date November 4, 1985

Fact Sheet Prepared by

Date November 4, 1985

Patricia A. Biancaniello

Reviewed by

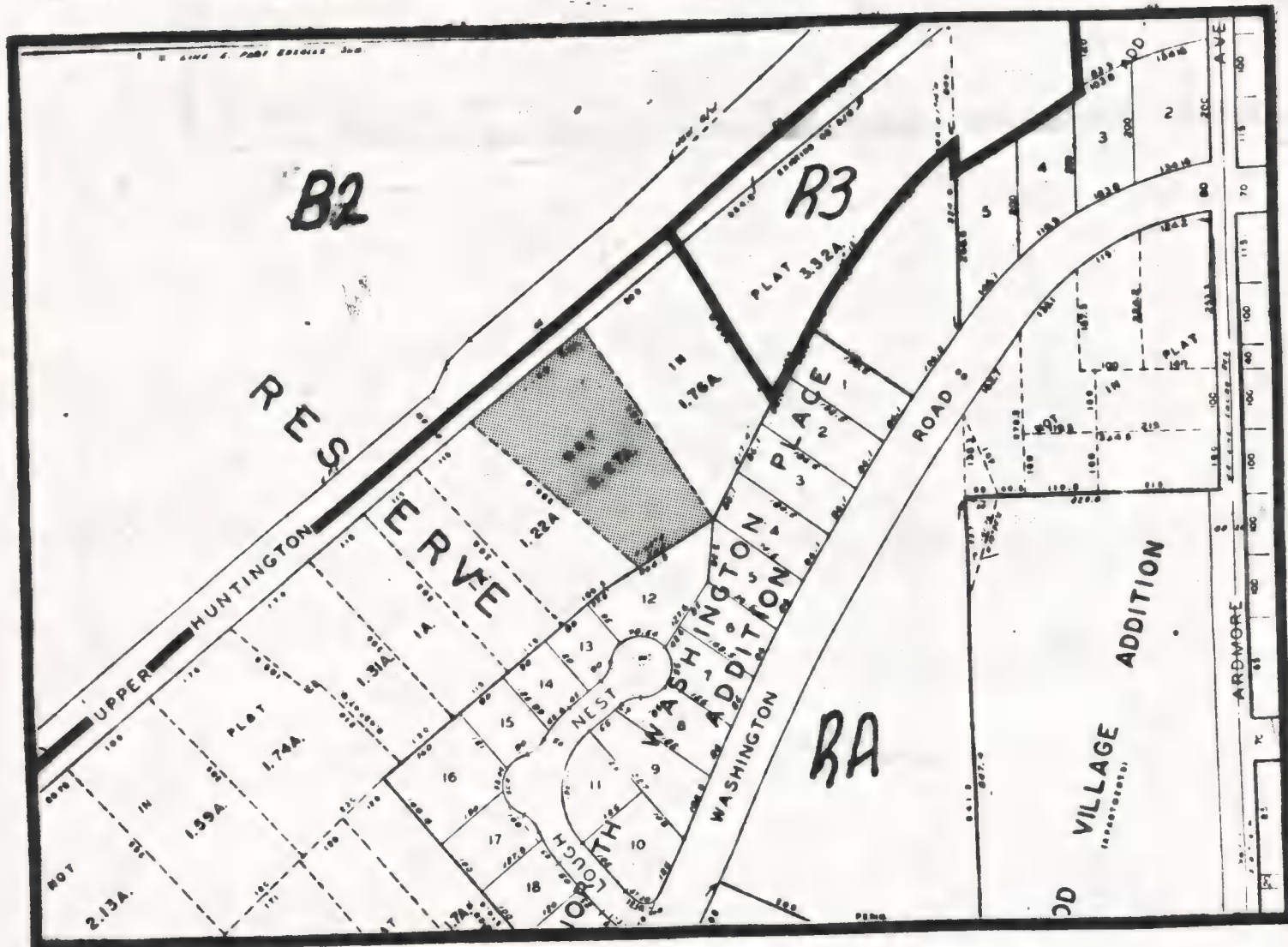
Date

*Larry Burtin*

11/4/85

Reference or Case Number

## GENERAL LOCATION MAP FOR 4101 W. JEFFERSON

Zoning:Land Use:

- RA RESIDENCE 'A'  
 R3 RESIDENTIAL DISTRICT  
 B2 PLANNED SHOPPING CENTER

Bill NO. Z-85-07-21

NORTH





RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 23, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-07-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July, 15, 1985;

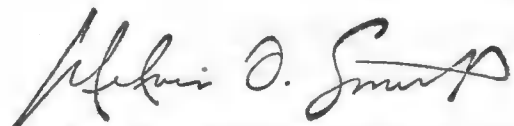
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 26, 1985.

Certified and signed this  
1st day of November 1985.



---

Melvin O. Smith  
Secretary

8 July 1985

PROPOSAL:

Richard and Adam LaMar request a change of zone from RA to a POD.

GENERAL INFORMATION:

Location:

4101 West Jefferson Blvd.

Legal Description:

Metes & Bounds in File

Existing Zoning:

RA

Size of Property:

2.27 acres  $\pm$

Surrounding Land Use & Zoning:

North - B-2-D - Proposed Apple Glen

South - RA - SFR

East - RA & R3 - Commercial

West - RA - SFR

Reason For Request:

To develop office buildings.

Applicable Regulations:

Offices are not permitted in RA district.

Comprehensive Plan:

General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing land uses and the proposal should not establish an undesirable precedent in the area to be developed. The goal in the Outer Ring is to encourage growth in a balanced manner that is within or adjacent to existing development in the urban service area. In the West Sector, where this request is located the goal is to contain urban growth within the urban service line.

Neighborhood Planning:

No Comment

Urban Design:

POD classification will create site plan controls adequate to protect neighbors.

Change of Zone #138  
8 July 1985

Page two

HANDS:

No Comment

Housing Authority:

No Comment

PLANNING STAFF DISCUSSION:

The Comprehensive Plan shows this area as predominately used for commercial purposes. The proposed Apple Glen Center is directly north, to the east are some offices and the Park West Shopping Center.

The area immediately to the south is zoned residential and has been developed into a well established neighborhood. To the west of this property, on the south side of Jefferson, are large tracts ranging from 1 acre to 2.2 acres. These tracts are zoned RA, and have been developed as single family residential.

Apple Glen located to the north is a planned commercial district, and would require site plan review prior to construction. Development of that area would require perimeter landscaping, and would not create strip commercial development. Apple Glen's development would also require limited access from Jefferson Blvd., and Illinois Road.

The Planning Staff feels that approval of this application would create a situation that would make it difficult to deny the entire area on the south side of Jefferson Blvd., from going to commercial uses, and thereby establishing a strip commercial area.

There are two other commercial applications pending along the south side of Illinois Road that are of a similar nature. If the Plan Commission and City Council approve those applications, with a position that a certain depth of area on the south side of Illinois Road, from Apple Glen west to the interchange, be designated for commercial use, that would establish additional areas of commercial land. Perhaps the proposed development could be located in that area.

We recognize the need for major streets within the community, and that these major arteries may pass through residential areas. However, the planning staff feels strongly that all major streets should not turn into commercial strips.



Change of Zone #138  
8 July 1985

Page three

RECOMMENDATION:

Denial

Reasons:

- 1) Approval would make it difficult to deny similar applications along Jefferson.
- 2) Approval would adversely impact the residential area immediately south of the proposed site.
- 3) This approval, and other similar approval along Jefferson would create a strip commercial area.
- 4) There are other, more suitable locations for office uses.



# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

1 November 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

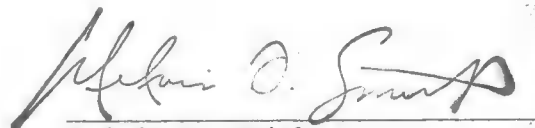
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-08-34

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
1st day of November 1985.

  
Melvin O. Smith  
Secretary

**FACT SHEET**

Z-85-08-34

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Map Amendment

**DETAILS****Specific Location and/or Address**

2615 Sherman Street

**Reason for Project**

Half of lot is already zoned B-4, this rezoning will make the entire lot one zoning classification.

**Discussion (Including relationship to other Council actions)**August 19, 1985 - Public Hearing

Ralph Beard, petitioner, 5707 Roaring Fork Run, stated that the property in question has a building located on it which presently straddles two zoning classifications. He stated one was B-4 and the other R-1. He stated that the building is adjacent to a used car lot on the north and a vacant residence on the south. He stated that the party that owns the used car lot wants to buy this property and he (Mr. Beard) was requesting the rezoning in order to sell the property.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

August 26, 1985 - Business Meeting

Of the 9 members present 8 voted in favor of a DO PASS recommendation one did not vote.

A condition was placed on this rezoning

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**Ralph Beard  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass



**DETAILS**

that the petitioner install an opaque fence six (6) feet in height along the south edge of the property prior to the rezoning being processed to City Council. The City Zoning Enforcement Officer has verified that this condition has been met and the fence has been installed.

**POLICY/PROGRAM IMPACT****Policy or  
Program  
Change**☐

No

☐

Yes

**Operational  
Impact  
Assessment**

(This space for further discussion)

**Project Start****Date** July 17, 1985**Projected Completion or Occupancy****Date** November 4, 1985**Fact Sheet Prepared by**

Patricia A. Biancaniello

**Date** November 4, 1985**Reviewed by***Gary Datto***Date***11/4/85***Reference or Case Number**

# REZONING

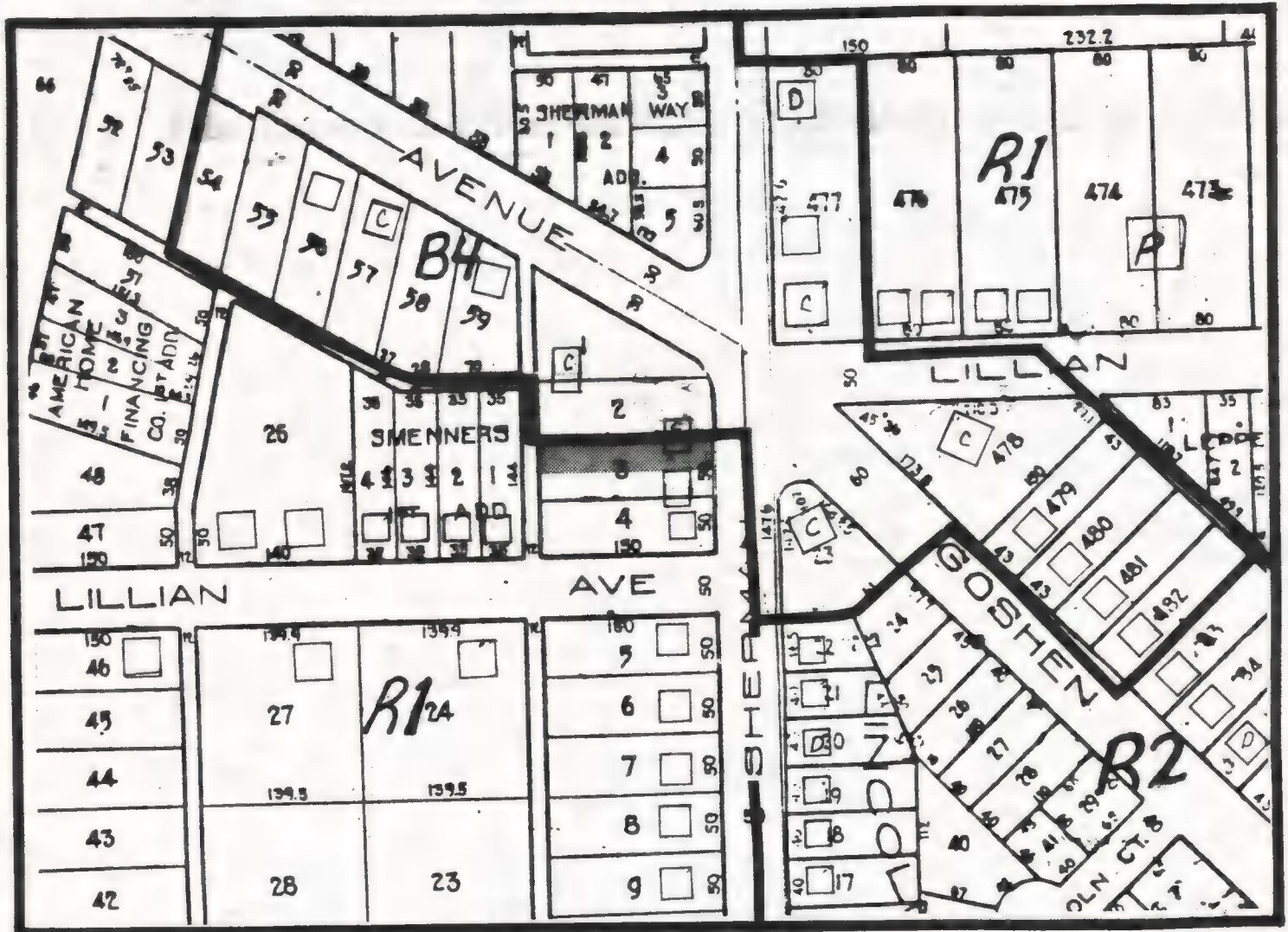
# PETITION

#147

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R1 DISTRICT TO A B4 DISTRICT.

MAP NO. K-18

COUNCILMANIC DISTRICT NO. 3



## Zoning:

R1 RESIDENTIAL DISTRICT.  
R2 RESIDENTIAL DISTRICT.  
B4 ROADSIDE BUSINESS

## Land Use:

□ SINGLE FAMILY  
□ D DUPLEX  
□ P PUBLIC CHURCH

Bill NO. Z-85-08-34

Scale: 1" = 130'

40

Date: 7-30-85



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 27, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-08-34;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 19, 1985;

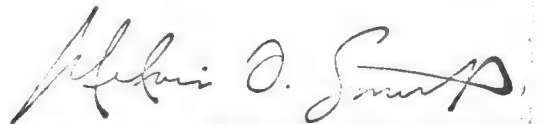
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 26, 1985.

Certified and signed this  
1st day of November 1985.



Melvin O. Smith  
Secretary



PROPOSAL:

Ralph and Mary Beard petition for a change of zone from R-1 to B-4.

GENERAL INFORMATION:

Location:	2615 Sherman Street
Legal Description:	N 25 feet of Lot 3 in Lillie Place Add.
Existing Zoning:	R-1
Size of Property:	Approximately .08 acres
Surrounding Land Use & Zoning:	North - B-4 - Commercial South - R-1 - Residential East - B4 & R2 - Commercial & Residential West - R-1 - Residential
Reason For Request:	Used Auto Sales
Applicable Regulations:	R-1 is primarily a single family residential district.

SPECIAL INFORMATION:

Public Utilities:	Available
Physical Characteristics:	The Five Points area is commercial abutting residentially developed areas.
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan states that rezonings and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area. The goal in the Middle Ring, where this request is located, is to prevent deterioration of the existing neighborhoods.
Neighborhood Planning:	No Comment
Urban Design:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment
SHED:	No Comment

7 August 1985

PLANNING STAFF DISCUSSION:

The possible commercial encroachment into existing residential areas concerns us greatly. The residential properties in this area are well maintained and provide an aesthetically pleasing residential quality to the area. Allowing commercial encroachment to extend would adversely impact the area. The existing structure appears to have been used commercially, and may qualify under the grandfather clause. However, this structure and/or use presents a buffer between the residential properties and the B-4 District.

A B-4 designation would allow numerous roadside businesses and should not be encouraged to extend into residential districts.

We are in the process of updating City's Zoning Ordinance. The planning staff and the Zoning Working Committee, appointed by the Mayor, has developed a Transition Office District that would be suitable for this location.

RECOMMENDATION:

Denial

Reasons:

- 1) Approval would adversely impact the surrounding area.
- 2) Approval would encourage commercial encroachment into residential areas.
- 3) Approval would make it difficult to deny similar petitions in the future.

26 August 1985

STAFF ANALYSIS ADDENDUM:

Change of Zone #147 - 2615 Sherman Street

Petitioner has submitted a survey of the property that shows the existing structure is built over the property line. This causes the building to be located in two separate zoning districts. In order to clear up this situation, the staff recommends, "Approval".



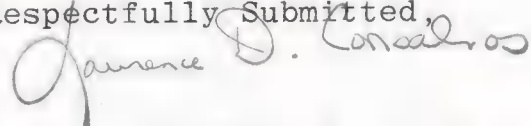
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 181/85/E  
182/85/E  
183/85/E  
184/85/E  
185/85/E  
186/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Lawrence D. Consalvos". The signature is fluid and cursive, with the first name "Lawrence" written in a larger, more prominent script than the last name "Consalvos".

Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 181/85/E  
182/85/E  
183/85/E)  
184/85/E  
185/85/E  
186/85/E

I hereby certify that I did this 30th day of  
October, 1985 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. (see above) of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

Lawrence D. Conzelmann  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 181/85/E

(Adopted October 30, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 135/85/E: IMPAIRED

MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

October 30, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Villa Capri Apartments  
1923 Fox Point Trail

-- 520 feet east of the east edge line of Anthony Boulevard and 170 feet north of the north edge line of Fox Point Trail



REGULATORY RESOLUTION NO. 182/85/E

(Adopted October 30, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 139/85/E: STOP

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

October 30, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Kentland Avenue	-- stop	-- for Louisedale Drive
Kentland Avenue	-- stop	-- for Trick Avenue

REGULATORY RESOLUTION NO. 183/85/E

(Adopted October 30, 19 85 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 140/85/E: STOP

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

October 30, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Papermill Crossing -- stop -- for Inland Trail

REGULATORY RESOLUTION NO. 184/85/E

(Adopted October 30, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 142/85/E: ONE WAY ALLEY

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

October 30, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY ALLEY

(EMERGENCY)

The First Alley East of Barr Street -- one way southbound -- from Berry Street south to the first alley south thereof



REGULATORY RESOLUTION NO. 185/85/E

(Adopted October 30, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 144/85/E: SPEED LIMIT  
30 M.P.H. (TEMPORARY) (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 1985,  
submitted to this Board his advice with regard to the regulation  
herein adopted, which written memorandum is on file in the  
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF  
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by  
Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne,  
Indiana of 1974 to make temporary or experimental regulations to  
cover special conditions, it is hereby ordered, effective

October 30, 1985, and for a  
period of sixty (60) days thereafter, and when signs are erected  
pursuant hereto giving notice thereof, that the FOLLOWING IS  
ESTABLISHED:

SPEED LIMIT 30 M.P.H. (TEMPORARY) (EMERGENCY)

Bluffton Road -- from Engle Road to Broadway

REGULATORY RESOLUTION NO. 186/85E

(Adopted October 30, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 145/85/E: NO PARKING

8 A.M. to 9 A.M. and 3 P.M. to 4 P.M. (EMERGENCY)

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\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 29, 19 85,  
submitted to this Board his advice with regard to the regulation  
herein adopted, which written memorandum is on file in the  
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF  
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by  
Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne,  
Indiana of 1974 to make temporary or experimental regulations to  
cover special conditions, it is hereby ordered, effective

October 30, 19 85, and for a  
period of sixty (60) days thereafter, and when signs are erected  
pursuant hereto giving notice thereof, that the FOLLOWING IS  
ESTABLISHED:

NO PARKING 8 A.M. to 9 A.M. and 3 P.M. to 4 P.M. (EMERGENCY)

Lynn Avenue -- both sides -- from Kensington Avenue to Woodward Avenue

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 187/85/E  
188/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lawrence D. Consalvos". The signature is written in dark ink and is positioned above the printed name and title.

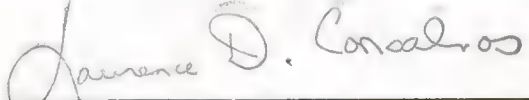
Lawrence D. Consalvos, Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 187/85/E  
188/85/E)

I hereby certify that I did this 5th day of  
November, 1985 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 187/85/E  
188/85/E of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 187/85/E

(Adopted November 5, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to IMPAIRED MOBILITY PARKING (COMMERCIAL)

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 30, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 5, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL)

(EMERGENCY)

Oakbrook Shopping Center  
1850 Bluffton Road

—

480 feet east of the east edge line of Brooklyn Avenue and 400 feet north of the north edge line of Bluffton Road (4 stalls - see attached map)

REGULATORY RESOLUTION NO. 188/85/E

(Adopted November 5, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to SPEED LIMIT 35 (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 1, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 5, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 35 (EMERGENCY)

South Coliseum Boulevard — from 300 feet north of Reynolds Street to New Haven Avenue

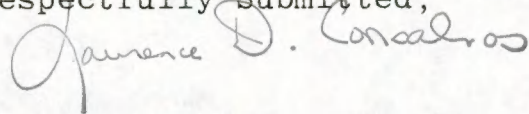
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 189/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Lawrence D. Consalvos". The signature is written in dark ink and is positioned directly below the "Respectfully Submitted," text.

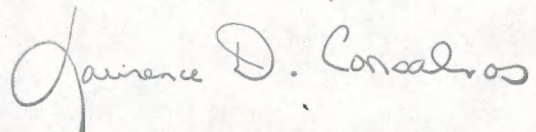
Lawrence D. Consalvos, Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 189/85 E)

I hereby certify that I did this 8th day of November, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 189/85 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 189/85/E  
(Adopted November 8, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 150/85/E: IMPAIRED

MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 8, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 8, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1604 Andrew Street -- east side -- from 30' north of Spring Street to 20' north thereof



THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of November, 1985, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

\_\_\_\_\_  
SANDRA E. KENNEDY, CITY CLERK